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DATE: September 20, 2006

TO: Examiner CHO, Hong Sol **FAX NO.:** 571-273-8300
USPTO GPAU 2662

FROM: Jeffrey G. Toler
Reg. No.: 38,342

RE U.S. App. No.: 10/668,616, filed September 23, 2003

Applicant(s): Robert P. Lowmaster

Atty Dkt No.: 1033-SS00412

Title: SYSTEM AND METHOD FOR FACILITATING PACKETIZED
CALLS BETWEEN MANAGED NETWORKS

NO. OF PAGES (including Cover Sheet): 20

MESSAGE:

Attached please find:

- ☒ Transmittal Form (1 pg)
- ☒ Petition to Withdraw Holding of Abandonment (5 pgs)
- ☒ Response Non-Final Office Action (13 pgs)

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PAGE 1/29 * RCVD AT 9/20/2006 11:49:58 AM [Eastern Daylight Time] * SVR:USPTO-EFAX-2/11 * DNIS:2738300 * CSID:5123275575 * DURATION (mm-ss):08-54

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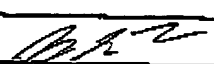
PTO/SB/21 (09-04)

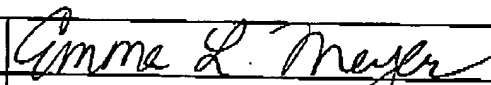
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/668,616	
	Filing Date	September 23, 2003	
	First Named Inventor	Robert P. Lowmaster	
	Art Unit	2662	
	Examiner Name	CHO, Hong Sol	
Total Number of Pages in This Submission	20	Attorney Docket Number	1033-SS00412

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks CUSTOMER NO.: 60533		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Toler Schaffer, L.L.P.		
Signature			
Printed name	Jeffrey G. Toler		
Date	9-19-2006	Reg. No.	38,342

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Signature		
Typed or printed name	Emma L. Meyer	Date
		Sept. 20, 2006

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SEP 20 2006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Robert P. Lowmaster

Title: SYSTEM AND METHOD FOR FACILITATING PACKETIZED CALLS
BETWEEN MANAGED NETWORKS

App. No.: 10/668,616

Filed:

September 23, 2003

Examiner: CHO, Hong Sol

Group Art Unit:

2662

Customer No.: 60533

Confirmation No.:

1504

Atty. Dkt. No.: 1033-SS00412

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Dear Sir:

This is a petition to withdraw holding of abandonment for the above referenced application. The application was held abandoned based on the Applicant's failure to respond to an Office Action mailed March 9, 2006 ("the Office Action"). Applicant respectfully submits that the application is not in fact abandoned under the reasoning of *Delgar v. Schulyer*, 172 USPQ 513 (D.D.C. 1971) because the Applicant's representative did not receive the Office Action.

The following statement of facts is filed in support of the petition:

- 1) The file jacket for the application, maintained by the Applicant's representative, does not include any indication of receipt of the Office Action, as supported by the attached copy of the file index for the application.

CERTIFICATE OF TRANSMISSION/MAILING

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Emma L. Meyer
Printed Name

Signature

SEP 20 2006

- 2) The docket records for the application do not include any indication of receipt of the Office Action as supported by the attached printouts of the docket record for the application.
- 3) The Applicant's representative only became aware of the holding of abandonment on September 13, 2006 upon receiving a message left by Examiner Cho the same day.
- 4) A response to the Office Action, as retrieved from the U.S. Patent and Trademark Office website, is filed herewith.


Accordingly, Applicant requests the Commissioner to grant this petition to withdraw the holding of abandonment.

While no additional fees are believed necessary, the Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

9-19-2006

Date



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Atty. Docket No.: 1033-SS00412
Application No.: 10/668,616
Application Date: 09/23/2003
Inventor(s): Robert Lowmaster
Examiner: CHO, Hong Sol
Group Art Unit: 2662
Title: SYSTEM AND METHOD FOR FACILITATING PACKETIZED CALLS
BETWEEN MANAGED NETWORKS

TOLER, LARSON & ABEL, LLP

FILE INDEX

Tab No.	Item	Date
1	Notice to File Missing Parts	12/15/2003
2	Response to Notice to File Missing Parts Assignment and RFCS	02/12/2004
3	Notice of Recordation of Assignment ; Notice of Publication Recordation Date: 02/12/2004; Reel/Frame: 014336/0640	02/13/2004
4	Non-Final Office Action	04/06/2005
5	Copy of PCT International Search Report	04/29/2005
6	Reply to Non-Final Office Action	07/05/2005
7	FINAL Office Action	09/02/2005
8	Request for Continued Examination & Supplemental Amendment	12/02/2005
9		
10		
11		
12		
13		

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File No	1033-S500412	Application	10/688,616	Labo	DSS
Country	USA	Patent		Labo	DSS
Case Type	Pat	Client	SBC Knowledge Ventures, L.P.		
Status	PEN	Owner	SBC Knowledge Ventures, L.P.		
CPA Reportable		Short Title		Case Ref	
		SYSTEM AND METHOD FOR FACILITATING PAPERLESS		US4	

N	Type	Matter	Due Date	Compl Date	Flag
↑	FAY	File Assignment	230 ec2003	12f eb2004	
↑	FAY	File Declaration/Power of Attorney	230 ec2003	12f eb2004	
↑	FAY	File IDS Declaration	230 ec2003	235 ep2003	
↑	FAY	Formal Drawings Due	230 ec2003	235 ep2003	
↑	FAY	Receive Application Filing Postcard	230 cl2003	060 cl2003	
↑	FAY	Application Checklist Filed	235 ep2003	235 ep2003	

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